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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

11 BRICKLAYERS AND ALLIED CRAFTWORKERS) CASE NO.: CV 09-1589
12 LOCAL UNION NO. 3, AFL-CIO;)
13 TRUSTEES OF THE NORTHERN CALIFORNIA) REQUEST TO CONTINUE
14 TILE INDUSTRY PENSION TRUST; TRUSTEES) CASE MANAGEMENT
15 OF THE NORTHERN CALIFORNIA TILE) CONFERENCE AND
16 INDUSTRY HEALTH AND WELFARE TRUST FUND;) ORDER
17 TRUSTEES OF THE NORTHERN CALIFORNIA)
18 TILE INDUSTRY APPRENTICESHIP AND)
19 TRAINING TRUST FUND; TILE INDUSTRY) Date: September 29, 2009
20 PROMOTION FUND OF NORTHERN CALIFORNIA,) Time: 2:00 p.m.
21 INC., a not-for-profit California) Dept: Courtroom 2
22 corporation; TILE EMPLOYERS CONTRACT) 4th Floor
23 ADMINISTRATION FUND; TRUSTEES OF THE) U.S. District
24 INTERNATIONAL UNION OF BRICKLAYERS AND) Court
ALLIED CRAFTWORKERS PENSION FUND,) 1301 Clay St.
Plaintiffs,) Oakland, CA
vs.) Judge: The Honorable
Defendants.) Claudia Wilken

The parties hereby respectfully request that this Court
continue the case management conference in this matter, currently
scheduled for September 29, 2009 at 2:00 p.m., for a period of at
least 60 days until November 24, 2009 or on any date thereafter

1 convenient to the Court.

2 The parties make this request because an automatic stay of
3 this case is now effect due to the bankruptcy filing by defendant
4 JOHN LONEY PALOMINO. See "Notice of Bankruptcy Filing By
5 Defendant John Loney Palomino; Automatic Stay" filed with this
6 Court on May 22, 2009, e-filing Document No. 7.

7 In addition, plaintiffs have now settled their claims
8 against defendants AMERICAN CONTRACTORS INDEMNITY COMPANY and
9 SURETY COMPANY OF THE PACIFIC. Plaintiffs received payment from
10 defendants last week and expect to be able to dismiss the claims
11 against AMERICAN CONTRACTORS INDEMNITY COMPANY and SURETY COMPANY
12 OF THE PACIFIC within the next 30 days once confirmation is
13 received that the check has cleared the bank.

14 In order to not waste the Court's time and resources, the
15 parties respectfully request that the case management conference
16 be continued until November 24, 2009 or any date thereafter
17 convenient to the Court.

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19 /S/Kimberly A. Hancock Date: September 22, 2009
Kimberly A. Hancock, Esq.
20 Katzenbach and Khtikian
1714 Stockton Street, Suite 300
21 San Francisco, California 94133-2930
(415) 834-1778; FAX (415) 834-1842
22 Attorneys for PLAINTIFFS

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24 /S/ Robert Stroj Date: September 22, 2009
Robert Stroj, Esq.
Lanak & Hanna, P.C.
25 400 North Tustin Avenue, Suite 120
Santa Ana, CA 92705-3815
(714) 550-0418; FAX (714) 550-7603
26 Attorneys for Defendant AMERICAN
27 CONTRACTORS INDEMNITY COMPANY, a
California corporation and as successor
28 by merger for SURETY COMPANY OF THE
PACIFIC

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2 **ORDER**
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4 Good cause appearing, it is hereby ORDERED that the Case
5 Management Conference currently set for August 4, 2009 at 2:00 PM
6 is continued to November 24, 2009, at 2:00 PM in Courtroom 2, 4th
7 Floor.

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9 Date: September 28, 2009

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13 The Honorable Claudia Wilken
14 UNITED STATES DISTRICT COURT JUDGE

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